

**NOTICE TO CUSTOMERS
relating to the
Personal Data (Privacy) Ordinance (the “Ordinance”)**

- (a) From time to time, it is necessary for customers or potential customers, and relevant individuals (each a “data subject(s)”) to supply Natixis (including its head office, its Hong Kong and other branches, holding company, representation offices, subsidiaries and affiliates, including branches or offices of such subsidiary or affiliate), the “Bank” with data in connection with various matters including the opening or continuation of accounts and the establishment or continuation of banking facilities or provision of banking services.
- (b) Failure to supply such data may result in the Bank being unable to open or continue accounts or establish or continue banking facilities or provide banking services.
- (c) It is also the case that data are collected from data subjects in the ordinary course of the continuation of the banking relationship, for example, when data subjects write cheques, transfer funds, deposit money, discuss/arrange banking facilities for himself / herself or for any third party or carry out transactions as part of the Bank’s services.
- (d) The purposes for which data relating to a data subject may be used will vary depending on the nature of the data subject’s relationship with the Bank. Broadly, they may comprise all or any one or more of the following purposes: -
 - (i) considering, assessing and processing of data subjects’ applications for the Bank’s product and services, including but not limited to application for the banking facilities;
 - (ii) the daily operation of the services and credit facilities provided to data subjects or any third party when the data subject is a guarantor or security provider for such facilities;
 - (iii) conducting credit checks (including without limitation upon an application for credit and upon periodic review of the credit) and audits generally;
 - (iv) assisting other financial institutions to conduct credit checks and collect debts on the data subject;
 - (v) ensuring ongoing credit worthiness of data subjects;
 - (vi) designing financial services or related products for data subjects’ use;
 - (vii) marketing financial services or related products to data subjects;
 - (viii) determining the amount of indebtedness owed to or by data subjects;
 - (ix) the enforcement of data subjects’ obligations including without limitation the collection of amounts outstanding from data subjects and those providing security for data subjects’ obligations;
 - (x) complying with the obligations, requirements, or arrangements for disclosing and using data that apply to the Bank or that it is expected to comply according to: -
 - (1) any law binding or applying to it within or outside the Hong Kong Special Administrative Region existing currently and, in the future, (e.g., the Inland Revenue Ordinance and its provisions including those concerning automatic exchange of financial account information);
 - (2) any guidelines or guidance given or issued by any legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers within or outside the Hong Kong Special Administrative Region existing currently and, in the future, (e.g., guidelines or guidance given or issued by the Inland Revenue Department including those concerning automatic exchange of financial account information); and
 - (3) any present or future contractual or other commitment with local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers that is assumed by or imposed on the Bank by reason of its financial, commercial, business or other

interests or activities in or related to the jurisdiction of the relevant local or foreign legal, regulatory, governmental, tax, law enforcement or other authority, or self-regulatory or industry bodies or associations;

- (xi) enabling an actual or potential assignee of the Bank, or participant or sub-participant of the Bank's rights in respect of the data subject, to evaluate the transaction intended to be the subject of the assignment, participation or sub-participation;
- (xii) information management or banking relationship purposes with the data subjects including complying with any obligations, requirements, policies, procedures measures or arrangements for sharing data and information within the Bank and/or any other use of data and information in accordance with any group-wide programmes for compliance with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities;
- (xiii) legal proceedings (including prospective legal proceedings) and obtaining legal advice, whether in or outside Hong Kong; and
- (xiv) other purposes directly or indirectly relating to any of the above.

The Bank may retain the data for as long as necessary to fulfil the above purposes, or as required or permitted by applicable laws.

- (e) Irrespective of whether an account or credit or services application by the customers is accepted or rejected by the Bank, the Bank is entitled to retain the original application form and copies of the supporting documents for purposes of record.
- (f) Data held by the Bank relating to a data subject will be kept confidential but, subject to the provisions of any applicable law, the Bank may provide such information to the following parties (whether within or outside the Hong Kong Special Administrative Region) for the purposes set out in paragraph (d) on a confidential basis: -
 - (i) any member of the Bank, any agent, contractor or third party service provider who provides administrative, telecommunications, computer, storage, data processing, payment, debt collection or securities clearing or other services to the Bank in connection with the operation of its business;
 - (ii) any other person under a duty of confidentiality to the Bank including any other member of the Bank which has undertaken to keep such information confidential;
 - (iii) the drawee bank providing a copy of a paid cheque (which may contain information about the payee) to the drawer;
 - (iv) credit reference agencies, and, in the event of default, to debt collection agencies;
 - (v) any actual or proposed assignee of the Bank or participant or sub-participant or transferee of the Bank's right in respect of the data subject;
 - (vi) government departments or other appropriate governmental or regulatory authorities in or outside of Hong Kong;
 - (vii) appropriate persons in the Bank or any shareholder of the Bank in Hong Kong or elsewhere;
 - (viii) any party giving or proposing to give a guarantee or third party security to guarantee or secure the data subject's obligations;
 - (ix) any person to whom any member of the Bank is under an obligation to make disclosure under the requirements of any law binding on any member of the Bank, for the purposes of any guidelines issued by regulatory or other authorities with which the Bank is expected to comply; and

Transfer of personal data referred to above will only be made for one or more of the purposes specified above.

- (g) Data of a data subject may be processed, kept and transferred or disclosed in and to any country as the Bank or any person who has obtained such data from the Bank referred to in (f) above

considers appropriate. Such data may also be released or disclosed in accordance with the local practices and laws, rules and regulations (including any governmental acts and orders) in such country.

- (h) Unless the data subject advises the Bank within 30 days of receipt of this notice, the data subject acknowledges and agrees that any data already supplied by it to the Bank prior to its receipt of this notice may be used and disclosed by the Bank for the purposes of and to the classes of persons specified in this notice.
- (i) Under and in accordance with the terms of the Ordinance, any data subject has the right: -
 - (i) to check whether the Bank holds data about him and of access to such data;
 - (ii) to require the Bank to correct any data relating to him which is inaccurate;
 - (iii) to ascertain the Bank's policies and practices in relation to data and to be informed of the kind of personal data held by the Bank;
 - (iv) to obtain a copy of the data; and
 - (v) to be informed on request which items of data are routinely disclosed to credit reference agencies or debt collection agencies and be provided with further information to enable the making of access and correction request to the relevant credit reference agency(ies) or debt collection agency(ies).
- (j) In accordance with the terms of the Ordinance, the Bank has the right to charge a reasonable fee for the processing of any data access request.
- (k) The Bank may have obtained a credit report on the data subjects and any of its sureties from a credit reference agency in considering any application for credit. In the event the data subjects or any of its sureties wishes to access the credit report, the Bank will advise the contact details of the relevant credit reference agency.
- (l) The person to whom requests for access to data or correction of data or for information regarding policies and practices and kinds of data should be addressed in writing to: -

**The Data Protection Officer
NATIXIS, Hong Kong Branch
Level 72, International Commerce Centre,
1 Austin Road West,
Kowloon, Hong Kong
Telephone: 852 3900 8582
Fax: 852 2519 0045**

- (m) Nothing in this Notice shall limit the rights of data subjects under the Personal Data (Privacy) Ordinance.
- (n) We may amend this notice from time to time to ensure that the notice is consistent with any developments to the way the Bank uses your personal data or any changes to the laws and regulations applicable to the Bank. We will make available the updated notice on our Natixis Hong Kong website. All communications, transactions, and dealings with us shall be subjected to the latest version of this notice in force at the time.